

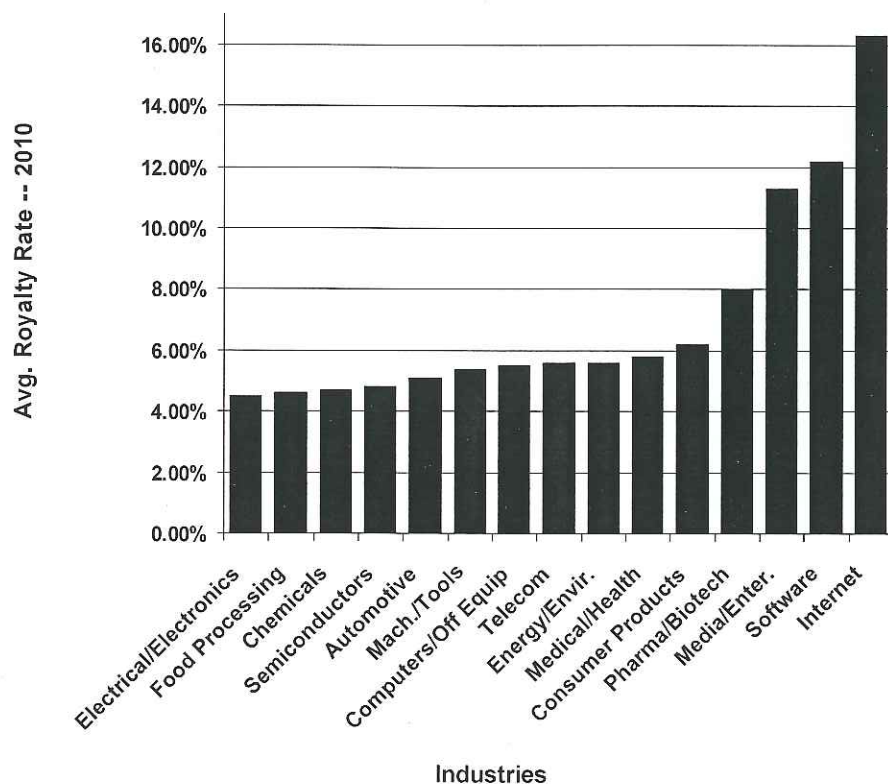
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Licensing Economics Review
155 Gaither Drive, Suite A
Mt. Laurel, NJ 08054
(856) 234-1199

TRANSACTIONS AND AGREEMENTS IN THE NEWS

Spice Depot and EverFresh Spice. The Spice Depot Inc. announced the granting of an exclusive global marketing license to EverFresh Spice Company, Inc. Spice Depot reported that the license is in response to an inability to meet established growth targets,

due primarily to insufficient funds for inventory and expansion. The grant of an outside sales and marketing license is hoped to facilitate sales outside of the structural restrictions of the company. The license provides for an annual royalty of **5% of annual gross sales**.

The Spice Depot is a provider of all-natural spices, spice blend products, and organic herbs to supermarkets and groceries, along with other retail and wholesale food services. It is best known for grinder-top glass bottles of premium spices and spice blends grown primarily by boutique farmers on the Spice Islands but also in Southern Asia, Africa and North America. The spices are packaged on-site in the company's organic-certified processing and packaging facility in Indonesia.

Fiscal year 2008 financial statements show that the company has sustained substantial losses from operations since inception. In addition, the company is low on cash. As of April 30, 2008, the company had utilized all of its available funding. Without realization of additional capital, auditors concluded that it was unlikely for the company to continue as a going concern.

The company is considered to be in the development stage. No financial data was publicly available for 2009 or 2010.

The EverFresh Spice Company, Inc. is a Nevada Corporation, newly

INDUSTRY ROYALTY RATE DATA SUMMARY

This annual analysis of royalty rates provides benchmarks for licensing rates covering 15 industries. Data for the analysis is provided by AUS Consultants, Inc. and is derived from the RoyaltySource® royalty rates database. RoyaltySource® now contains over 9,000 public and private licensing transactions from over 24 years of tracking. This data was used to analyze average royalty rates (based on a percent of sales) by industry.

Four thousand three hundred and eighty-five selected observations from 15 industries in the database were analyzed with the results presented in Table 1. There are fewer

transactions in the summary than the total number of transactions in the database for several reasons.

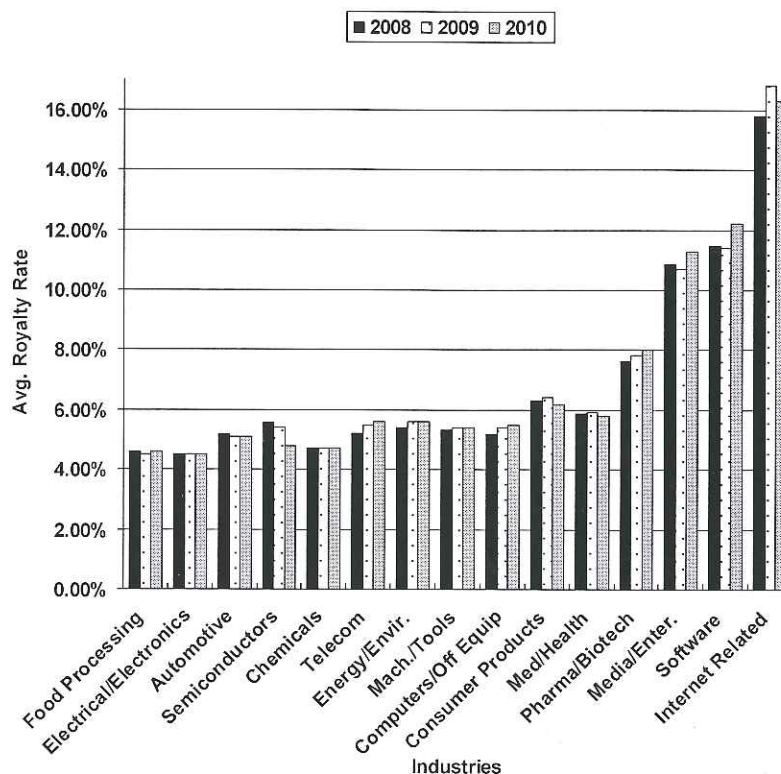
First, only technology licenses from public sources are included in the analysis -- and trademark license transactions are eliminated. Second, some transactions do not fit in the 15 industry groupings we have chosen to report. RoyaltySource® transactions cover more industries than the 15 reported. Other transactions are eliminated from the analysis because they have a royalty base of something other than some variation of sales.

Also worth noting is that every year transactions are moved from one category to another as additional information is obtained and the database is further refined.

Table 1: RoyaltySource® Transaction Analysis

Industry	Average	Median	Maximum	Minimum	Count
Chemicals	4.7%	4.5%	30.0%	0.1%	133
Internet	16.3%	12.5%	80.0%	0.3%	215
Telecom (excluding Media)	5.6%	4.5%	50.0%	0.3%	138
Consumer Goods, Retail & Leisure	6.2%	5.0%	40.0%	0.1%	225
Media & Entertainment	11.3%	6.8%	50.0%	0.1%	52
Food	4.6%	3.5%	30.0%	0.3%	76
Medical\Health Products	5.8%	4.5%	80.0%	0.1%	595
Pharmaceuticals & Biotechnology	8.0%	5.3%	90.0%	0.1%	1,675
Energy & Environment	5.6%	4.5%	75.0%	0.1%	327
Machines/Tools	5.4%	4.3%	25.0%	0.5%	116
Automotive	5.1%	4.3%	30.0%	0.5%	97
Electrical & Electronics	4.5%	4.0%	20.0%	0.5%	188
Semiconductors	4.8%	3.8%	30.0%	0.3%	119
Computers & Office Equipment	5.5%	4.0%	30.0%	0.1%	107
Software	12.2%	7.6%	77.0%	0.0%	322
Industry Summary	7.5%	5.0%			4,385

Figure 1: Average Royalty Rates by Industry (comparing database transactions for years 2008 - 2010)



The number of observations in the summary is a 12% increase as compared to 2009, with 474 transactions added in 2010. Medical/Health Products and Pharmaceuticals/Biotechnology, by far have the most transactions. The observations in these two categories account for over 50 percent of the total transactions added.

Electrical/electronics remains the category with the lowest average percentage royalty rate (4.5%). Internet-related transactions continued to exhibit the highest average royalty rate, at 16.3%.

Pharmaceuticals and biotechnology (the category with the largest number of transactions) increased slightly with an average royalty rate of 8.0% of sales. The average royalty rate in Media/Entertainment rose from 10.7% in 2009 to 11.3% this year.

Figure 1 presents the 2010 data with a comparison to the last two years of royalty rate data. The **average royalty rate for all the transactions was 7.5% of sales.** This is slightly higher than 2009's average of 7.4%.

(continued from Page 5)

Abstral® is promoted as the only fast-acting sublingual tablet for breakthrough cancer pain on the U.S. market. The value of the annual market for fast-acting fentanyl products is \$550 million.

Abstral® is the first product for transmucosal immediate release fentanyl to be approved in the U.S. with the FDA mandated class Risk Evaluation and Mitigation Strategy (REMS). The Abstral® REMS allows appropriate prescriptions to be filled at retail pharmacies as well as providing access to Abstral® within hospitals. The product offers an alternative therapeutic choice to patients and clinicians with a simple, patient friendly and predictable way of delivering fentanyl transmucosally while retaining the individualized dose titration aspects required for optimal treatment of breakthrough pain.

Breakthrough pain is an acute and often severe flare of pain, experienced by patients suffering from cancer. It occurs even though a person maybe taking opioid pain relief medicine regularly for persistent pain. It is known as breakthrough pain because it "breaks through" a regular pain medicine schedule. It may be caused by the cancer itself or it may be related to cancer treatment.

Abstral® has been a significant driver of growth for ProStrakan in Europe. The product is now mar-

keted by ProStrakan across the principal European markets - UK, Germany, France, Spain, Italy and Sweden. By June 2010 the product had gained an average market share of 24% of the fast-acting fentanyl market across these countries.

Orexo is developing proprietary products based on its reformulation technologies, targeted at the Specialty Pharmaceutical market. Today, Orexo has four products on the market of which Abstral® is a leading product. Orexo also has three significant partnerships with major pharmaceutical companies for research and development programs: discovery stage collaborations with Ortho-McNeil Janssen and Janssen Pharmaceutica in respiratory inflammation and with Boehringer Ingelheim for inflammation and pain, both within the arachidonic acid cascade and a clinical stage development agreement with Novartis for the treatment of gastrointestinal disorders.

ProStrakan Group is a specialty pharmaceutical company engaged in the development and commercialization of prescription medicines for the treatment of unmet therapeutic needs in major markets. ProStrakan's head office is in Scotland.

Government and Litigation

EMI, Apple, and Chrysalis. A video game featuring the Beatles' back catalogue is at the center of

sively tolerated its use where its acceptability had not been the focus of the case. The court found that relying on the 25 percent rule of thumb in a reasonable royalty calculation is far more unreliable and irrelevant than reliance on parties' unrelated licenses, which were rejected in the cases involving ResQNet and Lucent Technologies. There, the prior licenses involved the same general industry and some of the same parties as the hypothetical negotiations at issue.

The court continued that lacking even these minimal connections, the 25 percent rule of thumb would predict that the same 25%/75% royalty split would begin royalty discussions between, for example, (a) TinyCo and IBM over a strong patent portfolio of twelve patents covering various aspects of a pioneering hard drive, and (b) Kodak and Fuji over a single patent to a tiny improvement in a specialty film emulsion. Because it does not provide evidence of what would happen in a particular hypothetical negotiation or a particular technological area, the 25% rule is a flawed tool for determining a baseline royalty rate in a hypothetical negotiation. Evidence relying on the 25 percent rule of thumb is thus inadmissible under Daubert and the Federal Rules of Evidence, because it fails to tie a reasonable royalty base to the facts of the case at issue.

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